

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RELIQ HEALTH TECHNOLOGIES, INC.
Plaintiff,

v.

SHELBY NEAL and ACCUHEALTH
TECHNOLOGIES, LLC
Defendants.

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CIVIL ACTION NO. 4:19-cv-00040

JOINT MOTION TO DISMISS WITH PREJUDICE

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Plaintiff Reliq Health Technologies, Inc. (“Reliq” or “Plaintiff”), Defendants AccuHealth Technologies, Inc., Stephen Samson, and Bobby Deveros (collectively, the “AccuHealth Defendants”), and Defendant Shelby Neal (“Neal”) (Reliq, the AccuHealth Defendants, and Neal are collectively referred to herein as the “Parties”), and file this Joint Motion to Dismiss with Prejudice. In support thereof, the Parties would show the Court the following:

1. Reliq filed the above-captioned lawsuit on January 4, 2019 against AccuHealth and Neal. On February 8, 2019, Reliq amended the lawsuit to add claims against Stephen Samson and Bobby Deveros. On March 28, 2019, the AccuHealth Defendants filed counterclaims against Reliq.

2. The Parties participated in a mediated settlement conference on April 26, 2019 in Toronto, Canada. At the mediated settlement conference, Reliq and the AccuHealth Defendants entered into a binding and enforceable settlement contract. Reliq and Neal entered into a settlement, subject to agreement on certain conditions.

3. The Parties now have approved and signed all documents implementing Reliq’s settlements with the AccuHealth Defendants and with Defendant Neal. Accordingly, all lawsuit claims now should be dismissed.

4. The Parties hereby request that the Court dismiss with prejudice all claims, counterclaims and causes of action of any kind or character filed by any party in this lawsuit; and that all Parties bear their respective court costs and attorneys' fees.

PRAYER

WHEREFORE, Reliq Health Technologies, Inc., AccuHealth Technologies, LLC, Stephen Samson, Bobby Deveros, and Shelby Neal request that the Court grant this Motion to Dismiss with Prejudice, and dismiss with prejudice all claims, counterclaims and causes of action of any kind or character the Parties have brought against one another.

Respectfully submitted,

/s/ Paul D. Clote

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CERTIFICATE OF SERVICE

The undersigned certifies that on July 5, 2019, a true and correct copy of the foregoing document will be or has been served on all counsel of record via the Court's ECF system.

/s/ Paul D. Clote
PAUL D. CLOTE